

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-00783-RDM**

CAMPAIGN FOR ACCOUNTABILITY v. U.S.
ENVIRONMENTAL PROTECTION AGENCY
Assigned to: Judge Randolph D. Moss
Cause: 05:552 Freedom of Information Act

Date Filed: 04/05/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**CAMPAIGN FOR
ACCOUNTABILITY**

represented by **Hart W. Wood**
AMERICAN OVERSIGHT
1030 15th Street, NW
Suite B255
Washington, DC 20005
(202) 873-1743
Fax: (202) 871-6523
Email: hart.wood@americanoversight.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Sara Kaiser Creighton
AMERICAN OVERSIGHT
1030 15th Street, NW
Suite B255
Washington, DC 20005
(202) 869-5246
Fax: (202) 871-6523
Email: sara.creighton@americanoversight.org
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. ENVIRONMENTAL
PROTECTION AGENCY**

represented by **Darrell C. Valdez**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2507
Email: darrell.valdez@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Wyneva Johnson
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2518
Fax: (202) 252-2599
Email: wyneva.johnson@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Alexander Daniel Shoaibi
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530

(202) 252-2511
 Fax: (202) 252-2599
 Email: alexander.d.shoaibi@usdoj.gov
 TERMINATED: 08/01/2018

Date Filed	#	Docket Text
04/05/2018	<u>1</u>	COMPLAINT against U.S. ENVIRONMENTAL PROTECTION AGENCY (Filing fee \$ 400 receipt number 0090-5407146) filed by CAMPAIGN FOR ACCOUNTABILITY. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Civil Cover Sheet, # <u>5</u> Summons for USAO, # <u>6</u> Summons for AG, # <u>7</u> Summons for EPA)(Creighton, Sara) (Entered: 04/05/2018)
04/05/2018	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by CAMPAIGN FOR ACCOUNTABILITY (Creighton, Sara) (Entered: 04/05/2018)
04/05/2018		Case Assigned to Judge Randolph D. Moss. (jd) (Entered: 04/09/2018)
04/09/2018	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. Attorney and U.S. Attorney General. (Attachment: # <u>1</u> Notice and Consent)(jd) (Entered: 04/09/2018)
04/09/2018	<u>4</u>	STANDING ORDER: The parties are hereby ORDERED to comply with the directives set forth in the Court's Standing Order. See document for details. Signed by Judge Randolph D. Moss on 4/9/2018. (lcrdm1,) (Entered: 04/09/2018)
04/18/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/13/2018. (Answer due for ALL FEDERAL DEFENDANTS by 5/13/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 04/13/18., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. ENVIRONMENTAL PROTECTION AGENCY served on 4/12/2018 (Attachments: # <u>1</u> Exhibit A)(Creighton, Sara) (Entered: 04/18/2018)
05/09/2018	<u>6</u>	NOTICE of Appearance by Alexander Daniel Shoaibi on behalf of U.S. ENVIRONMENTAL PROTECTION AGENCY (Shoaibi, Alexander) (Entered: 05/09/2018)
05/14/2018	<u>7</u>	Consent MOTION for Extension of Time to <i>Respond to Complaint</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY (Shoaibi, Alexander) (Entered: 05/14/2018)
05/15/2018		MINUTE ORDER: Upon consideration of the Consent Motion for Enlargement of Time to Respond to Complaint, <u>7</u> , it is hereby ORDERED that the motion is GRANTED. Defendants shall answer or otherwise respond to the complaint on or before June 1, 2018. Signed by Judge Randolph D. Moss on 5/15/2018. (lcrdm1,) (Entered: 05/15/2018)
05/15/2018		Set/Reset Deadlines: Defendants shall answer or otherwise respond to the complaint on or before 6/1/2018. (kt) (Entered: 05/15/2018)
05/29/2018	<u>8</u>	Consent MOTION for Extension of Time to <i>Respond to Complaint</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY (Shoaibi, Alexander) (Entered: 05/29/2018)
06/05/2018		MINUTE ORDER: Upon consideration of the Consent Motion for Enlargement of Time to Respond to Complaint <u>8</u> , it is hereby ORDERED that the motion is GRANTED. Defendant shall answer or otherwise respond to the complaint on or before June 8, 2018. Signed by Judge Randolph D. Moss on 6/5/2018. (lcrdm1,) (Entered: 06/05/2018)
06/05/2018		Set/Reset Deadlines: Answer due by 6/8/2018. (kt) (Entered: 06/05/2018)
06/08/2018	<u>9</u>	NOTICE of Case Developments by CAMPAIGN FOR ACCOUNTABILITY (Creighton, Sara) (Entered: 06/08/2018)

06/08/2018	<u>10</u>	Consent MOTION for Extension of Time to <i>Respond to Complaint</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY (Shoaibi, Alexander) (Entered: 06/08/2018)
06/12/2018		MINUTE ORDER: Upon consideration of the Consent Motion for Enlargement of Time to Respond to Complaint <u>10</u> , it is hereby ORDERED that the motion is GRANTED. Defendant shall answer or otherwise respond to the complaint on or before June 19, 2018. Signed by Judge Randolph D. Moss on 6/12/2018. (lcrdm1,) (Entered: 06/12/2018)
06/12/2018		Set/Reset Deadlines: Defendant shall answer or otherwise respond to the complaint on or before 6/19/2018. (kt) (Entered: 06/12/2018)
06/19/2018	<u>11</u>	ANSWER to Complaint by U.S. ENVIRONMENTAL PROTECTION AGENCY.(Shoaibi, Alexander) (Entered: 06/19/2018)
06/20/2018		MINUTE ORDER: It is hereby ORDERED that the parties shall appear for a status conference on July 12, 2018, at 10:00 a.m., in Courtroom 21. It is further ORDERED that the parties shall meet and confer prior to the status conference to discuss the status of the Department's search and scheduling for further proceedings. Signed by Judge Randolph D. Moss on 6/20/2018. (lcrdm1,) (Entered: 06/20/2018)
06/20/2018		Set/Reset Hearings: Status Conference set for 7/12/2018, at 10:00 AM, in Courtroom 21, before Judge Randolph D. Moss. (kt) (Entered: 06/20/2018)
07/12/2018		Minute Entry for proceedings held before Judge Randolph D. Moss: Status Conference held on 7/12/2018. Defendant shall complete their search by 7/31/2018; The parties shall meet and confer, then file a Joint Status Report by 8/10/2018. (Court Reporter: Jeff Hook.) (kt) (Entered: 07/12/2018)
08/01/2018	<u>12</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Wyneva Johnson on behalf of All Defendants Substituting for attorney Alexander Shoaibi (Johnson, Wyneva) (Entered: 08/01/2018)
08/10/2018	<u>13</u>	Joint STATUS REPORT by CAMPAIGN FOR ACCOUNTABILITY. (Creighton, Sara) (Entered: 08/10/2018)
08/11/2018		MINUTE ORDER: Upon consideration of the Joint Status Report <u>13</u> , it is hereby ORDERED that the parties shall submit a further joint status report on or before November 1, 2018. Signed by Judge Randolph D. Moss on 8/11/2018. (lcrdm1,) (Entered: 08/11/2018)
08/13/2018		Set/Reset Deadlines: Joint Status Report due by 11/1/2018. (kt) (Entered: 08/13/2018)
11/01/2018	<u>14</u>	NOTICE of Appearance by Hart W. Wood on behalf of CAMPAIGN FOR ACCOUNTABILITY (Wood, Hart) (Entered: 11/01/2018)
11/01/2018	<u>15</u>	Joint STATUS REPORT by CAMPAIGN FOR ACCOUNTABILITY. (Wood, Hart) (Entered: 11/01/2018)
11/02/2018		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>15</u> , it is hereby ORDERED that the parties shall submit a further joint status report on or before January 4, 2019. Signed by Judge Randolph D. Moss on 11/2/2018. (lcrdm1,) (Entered: 11/02/2018)
11/02/2018		Set/Reset Deadlines: Joint Status Report due by 1/4/2019. (kt) (Entered: 11/02/2018)
01/03/2019	<u>16</u>	MOTION to Stay , MOTION for Extension of Time to <i>in Light of Lapse of Appropriations</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY (Attachments: # <u>1</u> Text of Proposed Order)(Hudak, Brian) (Entered: 01/03/2019)
01/07/2019		MINUTE ORDER: Upon consideration of Defendant's motion to stay, Dkt. <u>16</u> , it is hereby ORDERED that the motion is GRANTED. As soon as Congress has appropriated funds for the Department of Justice, Defendant's counsel shall notify the Court. Signed by Judge Randolph D. Moss on 1/7/2019. (lcrdm1,) (Entered: 01/07/2019)
01/29/2019	<u>17</u>	NOTICE of Restored Government Funding by U.S. ENVIRONMENTAL PROTECTION AGENCY (Johnson, Wyneva) (Entered: 01/29/2019)

01/31/2019		ENTERED IN ERROR.....MINUTE ORDER: Upon consideration of Defendant's notice of restored government funding, Dkt. 40 , it is hereby ORDERED that the stay in this case is lifted. It is further ORDERED that the parties shall meet and confer and submit a joint status report, on or before Friday, February 15, 2019, that includes a proposed schedule for further proceedings in this matter. The parties shall appear for a status conference on Wednesday, March 6, 2019, at 10:00 a.m. in Courtroom 21. Signed by Judge Randolph D. Moss on 1/31/2019. (lcrdm1,) Modified on 1/31/2019 – entered in wrong case (kt). (Entered: 01/31/2019)
01/31/2019		MINUTE ORDER: Upon consideration of Defendant's notice of restored government funding, Dkt. <u>17</u> , it is hereby ORDERED that the stay in this case is lifted. It is further ORDERED that the parties shall meet and confer and submit a joint status report, on or before Friday, February 22, 2019, that includes a proposed schedule for further proceedings in this matter. Signed by Judge Randolph D. Moss on 1/31/2019. (lcrdm1,) (Entered: 01/31/2019)
02/01/2019		Set/Reset Deadlines: Joint Status Report due by 2/22/2019. (kt) (Entered: 02/01/2019)
02/22/2019	<u>18</u>	Joint STATUS REPORT by CAMPAIGN FOR ACCOUNTABILITY. (Wood, Hart) (Entered: 02/22/2019)
02/23/2019		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>18</u> , it is hereby ORDERED that the parties shall file a further status report on or before April 1, 2019. Signed by Judge Randolph D. Moss on 2/23/2019. (lcrdm1,) (Entered: 02/23/2019)
02/25/2019		Set/Reset Deadlines: Joint Status Report due by 4/1/2019. (kt) (Entered: 02/25/2019)
04/01/2019	<u>19</u>	Joint STATUS REPORT by CAMPAIGN FOR ACCOUNTABILITY. (Wood, Hart) (Entered: 04/01/2019)
04/02/2019		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>19</u> , it is hereby ORDERED that the parties shall submit a further status report on or before June 3, 2019. Signed by Judge Randolph D. Moss on 4/2/2019. (lcrdm1,) (Entered: 04/02/2019)
04/02/2019		Set/Reset Deadlines: Joint Status Report due by 6/3/2019. (kt) (Entered: 04/02/2019)
06/03/2019	<u>20</u>	Joint STATUS REPORT by CAMPAIGN FOR ACCOUNTABILITY. (Wood, Hart) (Entered: 06/03/2019)
07/08/2019		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>20</u> , it is hereby ORDERED that the parties shall file a further status report on or before August 5, 2019. Signed by Judge Randolph D. Moss on 7/8/2019. (lcrdm1,) (Entered: 07/08/2019)
07/08/2019		Set/Reset Deadlines: Joint Status Report due by 8/5/2019. (kt) (Entered: 07/08/2019)
08/05/2019	<u>21</u>	Joint MOTION for Extension of Time to File <i>Joint Status Report</i> by CAMPAIGN FOR ACCOUNTABILITY (Attachments: # <u>1</u> Text of Proposed Order)(Wood, Hart) (Entered: 08/05/2019)
08/05/2019		MINUTE ORDER: Upon consideration of the parties' joint motion for extension of time, Dkt. <u>21</u> , it is hereby ORDERED that the motion is GRANTED. The parties shall file a joint status report on or before August 19, 2019. Signed by Judge Randolph D. Moss on 08/05/2019. (lcrdm1,) (Entered: 08/05/2019)
08/06/2019		Set/Reset Deadlines: Joint Status Report due by 8/19/2019. (kt) (Entered: 08/06/2019)
08/14/2019	<u>22</u>	NOTICE of Appearance by Darrell C. Valdez on behalf of U.S. ENVIRONMENTAL PROTECTION AGENCY (Valdez, Darrell) (Entered: 08/14/2019)
08/19/2019	<u>23</u>	Joint STATUS REPORT by CAMPAIGN FOR ACCOUNTABILITY. (Wood, Hart) (Entered: 08/19/2019)
08/19/2019		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>23</u> , it is hereby ORDERED that the parties shall file a further status report on or before October 1, 2019. Signed by Judge Randolph D. Moss on 8/19/19. (lcrdm1,) (Entered: 08/19/2019)

08/19/2019		Set/Reset Deadlines: Joint Status Report due by 10/1/2019. (kt) (Entered: 08/19/2019)
10/01/2019	<u>24</u>	Joint STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Valdez, Darrell) (Entered: 10/01/2019)
10/01/2019		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>24</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before November 7, 2019. Signed by Judge Randolph D. Moss on 10/1/19. (lcrdm1,) (Entered: 10/01/2019)
10/01/2019		Set/Reset Deadlines: Joint Status Report due by 11/7/2019. (kt) (Entered: 10/01/2019)
11/07/2019	<u>25</u>	Joint STATUS REPORT by CAMPAIGN FOR ACCOUNTABILITY. (Wood, Hart) (Entered: 11/07/2019)
11/12/2019		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>25</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before January 13, 2020. Signed by Judge Randolph D. Moss on 11/12/19. (lcrdm1) (Entered: 11/12/2019)
11/12/2019		Set/Reset Deadlines: Joint Status Report due by 1/13/2020. (kt) (Entered: 11/12/2019)